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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,537	12/29/2000	Thomas P. Glenn	M-8933 US	7447
22888	7590	08/11/2004	EXAMINER	
BEVER HOFFMAN & HARMS, LLP TRI-VALLEY OFFICE 1432 CONCANNON BLVD., BLDG. G LIVERMORE, CA 94550			VARGOT, MATHIEU D	
			ART UNIT	PAPER NUMBER
			1732	

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Please find below and/or attached an Office communication concerning this application or proceeding.



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EXAMINER

ART UNIT

PAPER

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Commissioner for Patents

The reply filed May 24, 2004 in response to the restriction has been received and noted. However, the reply filed on January 16, 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has asserted that newly added claim 42 is patentable due to its similar language to claim 29. While this is true in some measure, claim 29 is a dependent claim whose patentability is argued as stemming from claim 24, the claim it is dependent from. Claim 42 is independent and does not contain a number of the limitations found in claim 24. Hence, applicant has not pointed out what in claim 42 alone would make the claim patentable. Simply because claim 42, an independent claim, has language found in other, dependent claims, is not a sufficient statement as to the patentability of claim 42. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Mathieu D. Vargot  
Primary Examiner  
Art Unit: 1732

8/9/04